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UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

PORTLAND DIVISION

AUSTIN GOODRICH

Plaintiff

vs

**2275 W BURNSIDE LLC
and TLC BOOKKEEPING
AND TAX PREP INC.**

Defendants

Case No. 3:20-cv-670

COMPLAINT

Unauthorized Inspection of
Coronavirus Stimulus Check

Invasion of Privacy

Demand for Jury Trial

1.

JURISDICTION AND THE PARTIES

This Court has jurisdiction under 28 U.S.C. §§ 1331 and 1367 because plaintiff's federal law claim is so related to his state law claim that they form part of the same case and controversy.

2.

Mr. Austin Goodrich is a taxpayer and a tenant residing at 2005 Main Street in Forest Grove, Oregon.

3.

2275 W Burnside LLC owned the residence at 2005 Main Street in Forest Grove, Oregon as plaintiff's landlord.

4.

TLC Bookkeeping and Tax Prep Inc. managed the residence at 2005 Main Street in Forest Grove, Oregon as plaintiff's landlord. TLC Bookkeeping and Tax Prep Inc.'s behavior as alleged in this complaint was in the course and scope of its employment and agency with 2275 W Burnside LLC and 2275 W Burnside LLC is vicariously liable for TLC Bookkeeping and Tax Prep Inc.'s behavior.

5.

FACTUAL ALLEGATIONS

This complaint's allegations are based on personal knowledge as to plaintiff's behavior and made on information and belief as to the behavior of others.

6.

On or around April 15, 2020, defendants intentionally invaded plaintiff's privacy by using the IRS website to track the status of plaintiff's coronavirus stimulus check without permission in an attempt to coercively collect rent from him.

7.

Prior to tracking the status of plaintiff's coronavirus stimulus check, defendants received written notice from the IRS that unauthorized use its tracking system was prohibited and subject to civil penalties.

8.

Defendants' behavior as alleged in this complaint caused plaintiff actual damages including feeling overwhelmingly violated and vulnerable, and interference with normal life activities.

9.

CLAIMS FOR RELIEF

Claim One – 26 U.S.C. § 7431

As alleged in this complaint, defendants violated 26 U.S.C. § 7431(a)(2), entitling plaintiff to statutory damages or actual damages, whichever is greater, plus punitive damages, in amounts to be decided by the jury to be reasonable, and attorney fees and costs as determined by the Court under 26 U.S.C. § 7431(c).

10.

Claim Two – Invasion of Privacy

As alleged in this complaint, defendants intentionally intruded into plaintiff's solitude or seclusion or private affairs or concerns which would be highly offensive to a reasonable person, and caused plaintiff actual damages including feeling overwhelmingly violated and vulnerable, and interference with normal life activities, entitling plaintiff to actual damages and punitive damages in amounts to be decided by the jury to be reasonable.

11.

JURY TRIAL REQUEST

Plaintiff requests trial by jury.

12.

PRAYER FOR RELIEF

Plaintiff seek relief as described in this complaint, maximum pre and post judgment interest, and any equitable relief this Court may determine is just and proper.

April 22, 2020

RESPECTFULLY FILED,

s/ Michael Fuller

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